



COMMONS REGISTRATION ACT 1965

Reference No. 34/U/58

In the Matter of The Common,
Wetherden, Mid Suffolk D

DECISION

This reference relates to the question of the ownership of land known as The Common, Wetherden, Mid Suffolk D being the land comprised in the Land Section of Register Unit No. CL.38 in the Register of Common Land maintained by the former East Suffolk County Council of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference Wetherden Parish Council claimed to be the freehold owner of the land in question and no other person claimed to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Ipswich on 22 January 1976.

Mr E H Tyson chairman of the Wetherden Parish Council appeared on its behalf and produced a conveyance dated 11 October 1955 made between M A Griffin and others of the one part and the Parish Council of the other part whereby the land comprised in that conveyance which was badly drafted was conveyed to the Parish Council. It is difficult to reconcile the land as identified on the plan on the said conveyance with the parcels.

On this evidence I am satisfied that Wetherden Parish Council is the owner of the land comprised in the said conveyance, and I shall accordingly direct the Suffolk Parish Council to register Wetherden Parish Council as the owner of that land excluding any part thereof which is now a highway. Any part of the land in question not comprised in the said conveyance and which is not a highway will remain subject to protection under section 9 of the Act of 1965.

I am required by regulation 30(1) of the Commons Commissioners Regulations 1971 to explain that a person aggrieved by this decision as being erroneous in point of law may, within 6 weeks from the date on which notice of the decision is sent to him, require me to state a case for the decision of the High Court.

Dated this 20th day of February 1976

C. A. Le H

Commons Commissioner